

U.S. Application No.: 10/088,626  
AMENDMENT A

Attorney Docket: 3960.010

Draftsman's Patent Review form PTO-948 acknowledging receipt of the drawing(s), the drawing(s) being formal.

**Paragraphs 1-2 (Claim Rejections - Formalities)**

Claims 13-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,058,525 (Riling).

Applicants respectfully traverse.

The present invention is directed to a metering device including means for detecting possible tampering with the device. The device includes two display means. One of these displays the **amount** of consumed medium which has passed through the supply meter. The other display means displays a **verification code** for the used amount. The verification code for the used amount is generated by mechanical gears of which a translation occurs on rollers or disks of which segments can be varied between 1:10 or other sequences. The rotating bodies of the verification code display device are connected at any point with the drive means or gears of the supply meter device. Figure 2 of the drawings of the instant invention illustrates the preferred means of generating the verification code. There, it is illustrated the verification code display means is rigidly connected with a drive means via a gear connection means. A selectable translation relationship exists for the evaluation of the verification code.

Riling, like the present invention, is directed to a method for detecting possible tampering of a metering device. However,

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Riling achieves this task in a manner different from the present invention.

Riling teaches a display means for displaying the amount consumed or the amount passing through the supply device. A gear is associated with each rotary dial having a number of indicia or numbers. Riling also affixes a decal or label code on either the front or the back of one or more gears associated with each rotary dial corresponding to the indicia on each dial in which the code on the decal or label may be viewed through an opening or cutout by the use of a mirror. The openings are arranged to expose a portion of the code (numeric, alphanumeric, symbol or color) which is adjacent to the zero indicia of the dials. An opening may be provided for showing the same code associated with the dial. The coincidence between the code symbol being arranged with the zero dial indicia and the dial indicia is noted in an opening denoting a key code or a sync code. If the indicia are not tampered with, the sync code will be in alignment with the code of the code markings or decal of its associated gear.

Riling provides another alternative for detecting tampering by providing users or a service representative with a card or a decoding transparent card onto which is imprinted codes identical to those affixed on the gear. The card is placed over the dial for checking coincidence with the code found in the opening. Then the position is marked with a line. Tampering is decided by determining an approximate difference between the

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expected position of the dial at the marked line and the actually observed position.

The code in Riling is only associated with the indicator of each dial as found in the back or rear of each gear associated with respective dials. Thus, there exists no verification in the system of Riling.

Thus features of present claims 13-24 are neither present nor obvious in Riling. The verification code as claimed in claim 14 is a product of

- the position of the consumed amount display device,
- the setting of the verification code display device when the consumed amount display device was in the zero or start position, and
- a selectable translation relationship between the gear and the verification code.

It is clear from Riling that the coding means or decals are always fixed to at least one gear 38 of the consumed-amount display-device (see e.g. col. 3 1. 38-45, col. 3 1. 49-52, col. 3 1. 57-60, col. 3 1. 65 to col. 4 1. 3.). The coding means or decals may be attached to either the front or rear surface of one or more of the gears 38 (col. 4 1. 4-6). Riling describes translation relationships between single gears of the consumed-amount display-device in the order of 1:10. There is no mention of any translation relationship between the drive means and the verification code display device. Taking into account the fixed attachment of the coding means to the gear-wheels of the

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consumed-amount display-device a fixed translation relationship between the drive means and the verification code display device of exactly 1:1 can be derived. A freely selectable translation relationship, i.e. a translation relationship that may diverge from 1:1, is not possible with the supply meter according to Riling.

Accordingly, the verification code features as claimed, including the freely selectable translation relationship between the drive means and the verification code display device, are neither present in nor obvious over Riling.

Withdrawal of the rejection is respectfully requested.

Claims 23 and 24 are rejected under 35 USC 103(a) as being unpatentable over Riling in view of (Churcher) US Patent No. 1,607,512.

Applicants respectfully traverse.

Riling does not give any suggestion as to provide a supply meter with a freely selectable translation relationship between the drive means and the verification code display device. Riling does not mention any freely selectable translation relationship. Even the translation relationship between gears of the consumed-amount display-device is not described as being freely selectable. Only the translation relationship of 1:10 is mentioned. Therefore, from Riley it would seem fully sufficient to a skilled person to use a fixed translation relationship to detect tampering with the device.

The present invention represents an improvement over Riley in that it is advantageous to provide a supply meter with a

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freely selectable translation relationship between the drive mans and the verification code display device. It allows e.g. for allocating to a numeral a verification code dependent on the total meter reading.

Further, the large number of possible different combinations of translation relationships, coding types and settings of the verification code display device makes tampering of the device difficult.

Churcher seems of no relevance. An electronic metering device for the fill level of a liquid container, e.g. a gasoline tank of an automobile, is described. Coding means or the like are not mentioned. There does not appear to be disclosure of a cover that is operable by means of a mechanical push button, as stated by the Examiner. Only a push button to activate the display of the fill level, if desired, is described (see e.g. p. 1 1. 95-97, p. 3 1. 127 to p. 4 1. 2).

#### **Paragraph 5**

The Examiner states that other prior art made of record is considered pertinent to applicant's disclosure.

Applicants have reviewed these references and have no further comments.

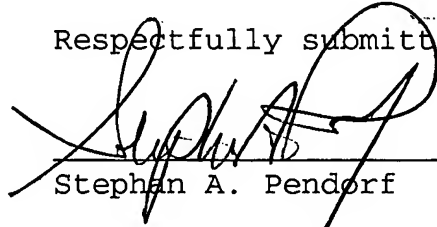
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Favorable consideration and early issuance of the Notice of Allowance are respectfully requested.

Respectfully submitted,

  
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Stephan A. Pendorf

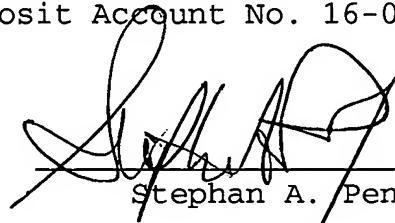
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Dated: April 24, 2003

**CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE**

I hereby certify that the foregoing AMENDMENT A for U.S. Application No. 10/088,626 filed March 18, 2002, was deposited in first class U.S. mail, postage prepaid, addressed: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on April 24, 2003.

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

  
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Stephan A. Pendorf